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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,801	10/20/2003	Yung-Shun Chuang	VER 126	2452

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EXAMINER

MORRISON, NASCHICA SANDERS

ART UNIT PAPER NUMBER

3632

DATE MAILED: 09/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Km

Office Action Summary	Application No.	Applicant(s)	
	10/687,801	CHUANG, YUNG-SHUN	
	Examiner	Art Unit	
	Naschica S Morrison	3632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/20/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is the first Office Action for serial number 10/687,801, Mechanism for Mounting LCD TV on Wall, filed on October 20, 2003. Claims 1-5 are pending.

Specification

The disclosure is objected to because of the following informalities: on page 1, line 9 "of mounting " should be --to mount--, on line 11 delete "(" before "LCD" and delete ")" after "TVs", on line 13 "of mounting" should be --to mount--; on page 3, line 14 insert --conventional-- before "mechanism". Appropriate correction is required.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference characters not mentioned in the description: numeral 11 in Figs. 5 and 7. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claim 1 is objected to because of the following informalities: on lines 10 and 12, "driven" should be --drivable--. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the slots" in line 12. There is insufficient antecedent basis for this limitation in the claim.

Claim 2 is rejected because it is unclear whether the combination of the mechanism and light object is being claimed or merely the subcombination of the mechanism. Claim 1 recites the light object in a functional statement in the preambles of the respective claim, indicating the subcombination is being claimed, yet the applicant recites a further structural limitation to the light object in claim 2, line 1, indicating the combination is being claimed. For purposes of this Office action, the examiner will assume the ***subcombination*** is being claimed.

Claim 4 recites the second fasteners (122) being expansion screws; however the specification only teaches the first fasteners (41) being expansion screws. Appropriate correction/clarification is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 3,822,049 to Saunders in view of U.S. Patent 4,979,713 to Bell. Regarding claims 1 and 2, Saunders discloses a mechanism comprising: a removable support (16) including four pairs of first holes (34) on a front side adjacent four corners and a second hole (29) at either side; and a mated fixed support (18) received in the removable support, the fixed support including a plurality of openings (adjacent 48) on a rear side and a transversely elongated slot (defined between 46 and vertical wall of 18) at either side; wherein a plurality of first fasteners (48) are drivable through the openings (adjacent 48). Saunders does not teach the first holes (34) being threaded; however it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the first holes to be threaded because one would have been motivated to provide holes which are adapted to threadably engage and receive screws. Saunders also fails to teach the second holes (29) being threaded and a plurality of second fasteners drivable through the slots and second holes. Bell teaches a mechanism comprising a threaded fastener (20) extending through a threaded hole (18) for securing a removable member (12) to a fixed member (2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have

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modified the mechanism of Saunders such that the second holes are threaded and a plurality of second fasteners are driven through the second holes and slots because one would have been motivated to provide a means for locking the fixed support onto the removable support as taught by Bell. Regarding claims 3 and 4, Saunders does not teach the first fasteners (48) being screws or the second fasteners being expansion screws; however, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the mechanism of Saunders by substituting screws for the first fasteners and expansion screws for the second fasteners since screws, rivets, and expansion screws are well known for their use in the fastening art and the selection of any of these known equivalents to releasably secure the fixed and removable members to each other would be within the level of ordinary skill in the art.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saunders in view of Bell and further in view of the Admitted Prior Art of Fig. 1 (APA). Regarding claim 5, Saunders in view of Bell teaches the mechanism as applied above, but Saunders does not teach the openings () being of teardrop shape. APA discloses a mechanism including teardrop shaped openings (221). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the openings of Saunders to be teardrop shaped because one would have been motivated to provide easier entrance and securement of the head of the mounting fastener within the opening.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Des. 162122 to Broeren; 2498392 to Boyle; 2766959 to Duncan; 3928894 to Bury et al; 4613109 to Boscacci; 4709897 to Mooney; 5707033 to Holt et al; 5865562 to Mallek; 6400560 to Chian

The above references disclose mechanisms relevant to the present invention.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Naschica S. Morrison, whose telephone number is (703) 305-0228. If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Leslie Braun can be reached at 703-308-2156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this Application should be directed to the Technology Center receptionist at (703) 306-1113.

Naschica S. Morrison
Patent Examiner
Art Unit 3632
9/13/04


RAMON O. RAMIREZ
PRIMARY EXAMINER